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December 14, 2018

VIA ECF & EMAIL

The Honorable Valerie E. Caproni
Thurgood Marshall Courthouse
40 Foley Square, Room 240
New York, NY 10007
CaproniNYSDChambers@nysd.uscourts.gov

Re: *Gene Samit and John Lantz v. CBS Corporation, et al.*, No. 1:18-cv-7796

Dear Judge Caproni:

This firm represents Defendants CBS Corporation, Joseph R. Ianniello, Lawrence Liding, David Rhodes, Gary L. Countryman, Linda M. Griego, and Doug Morris in the above-captioned action. Pursuant to Sections I.C and I.D of Your Honor's Individual Rules, we write on behalf of all parties to respectfully request that the Court so-order the enclosed stipulation, which adjourns the date for Lead Plaintiff to file a Consolidated Amended Complaint and sets a briefing schedule in the event Defendants elect to move to dismiss such complaint.

On November 30, 2018, the Court issued an Order Appointing Lead Plaintiff and Approving Selection of Lead Counsel (the "Order"). (Dkt. No. 43.) Under the terms of the Order, the Court set December 28, 2018 as the deadline for Lead Plaintiff to file an Amended Consolidated Complaint. (Order at 5.) Assuming Lead Plaintiff files its Amended Consolidated Complaint on that date, under Rule 12(a)(1)(A), Defendants' deadline to respond to such complaint is January 18, 2019. *See* Fed. R. Civ. P. 12(a)(1)(A). In the event Defendants do not move to dismiss, the Order also requires the parties to file a jointly proposed Civil Case Management Plan no later than February 7, 2019, and to attend an Initial Pretrial Conference on February 15, 2019 at 10:00 a.m. (Order at 5.)

The parties have met and conferred and agreed that, in light of the intervening holiday, Lead Plaintiff requires additional time to file a Consolidated Amended Complaint. The parties also agreed upon a briefing schedule in the event Defendants move to dismiss the Consolidated Amended Complaint. Accordingly, the parties respectfully request that the Court so-order the enclosed stipulation which (among other things), sets January 28, 2019 as the deadline for Lead Plaintiff to file its Consolidated Amended Complaint, allows Defendants 60 days thereafter to file their motion(s) to dismiss, and adjourns the Initial Pretrial Conference until after any motion to dismiss Defendants may make is resolved.

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No prior request for such relief has been made by any party.

Respectfully submitted,

M. Eaton

Mary Eaton

Enclosure

cc: Counsel of Record (via ECF and email w/ encl.)